

IV. REMARKS

The applicant has amended the claims as set out above in the amendment section and provides remarks set out below to clarify the claims and to address the concerns raised by the office in the official communication mailed June 4, 2007. It is noted that the Applicant's representative, Nicole Ressue, participated in a brief phone interview with Examiner Glass on June 26, 2007 to discuss proposed amendments to the claims as well as clarification that the June 4, 2007 office action was a non-final action.

The amendments submitted herein should be understood to be made as a practicality only, and should not to be construed as creating any situation of file wrapper estoppel or the like as all rights are expressly reserved and may be pursued in this or other applications, such as divisionals, continuations, or continuations-in-part if desired. Relatedly, it should be understood that the amendments made herein are made for tangential issues of clarity and as a matter of the Office's convenience or expedience only. The amendments should not be interpreted as an action that in any way surrenders a particular equivalency, surrenders any right to patent coverage, or otherwise limits any rights which the Assignee may now or hereafter assert. It should be understood that, unless and to the extent deemed broadened by this amendment, and even as amended, the applicant expressly reserves all rights, including but not limited to: all rights to maintain the scope of literal coverage with respect to any element as may have existed under the language previously presented, all rights to maintain the scope of equivalency coverage as may have existed under the language previously presented, and all rights to re-present the prior language at any time in this or any subsequent application. To the extent currently foreseeable, no change or reduction in direct or equivalency coverage is believed to exist, and no change or reduction in direct or equivalency coverage is intended through the presentation of this amendment.

Independent claims 1, 12, and 19 have been amended to incorporate dependent claims 24, 25, and 26, respectively, as indicated as allowable subject matter in the last office action.

CONCLUSION

In view of the foregoing clarifications and remarks, it is respectfully submitted that the claims are novel over the cited art. Accordingly, the 35 U.S.C. §102 concerns should now be reconsidered and withdrawn. Because all rejections should now be overcome, it is respectfully submitted that the instant application should now be in condition for allowance. Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in the application, the Examiner is invited to contact the undersigned at (970) 224-3100.

Dated this 26th day of June, 2007.

Respectfully submitted,
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